

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MANHATTAN COLLEGE
Employer

and

Case 02-RC-23543

MANHATTAN COLLEGE
ADJUNCT FACULTY UNION,
NEW YORK STATE UNITED TEACHERS,
AFT/NEA/AFL-CIO
Petitioner

ORDER

On February 16, 2011, the Board granted Employer's Request for Review of the Acting Regional Director's Decision and Direction of Election.¹

On December 16, 2014, the Board issued its decision in *Pacific Lutheran University*, 361 NLRB No. 157, which specifically addressed, among other things, the standard the Board will apply for determining, in accordance with *NLRB v. Catholic Bishop of Chicago*, 440 U.S. 490 (1979), when we should decline to exercise jurisdiction over faculty members at self-identified religious colleges and universities. Accordingly, the Board remands this proceeding to the Regional Director for further appropriate action consistent with *Pacific Lutheran University*, including reopening the record, if necessary.²

MARK GASTON PEARCE, CHAIRMAN

PHILIP A MISCIMARRA, MEMBER

KENT Y. HIROZAWA, MEMBER

HARRY I. JOHNSON, III, MEMBER

LAUREN McFERRAN, MEMBER

Dated, Washington, D.C., February 3, 2015

¹ The grant of review was limited to whether the Acting Regional Director properly asserted jurisdiction over the Employer under *NLRB v. Catholic Bishop* and to the Acting Regional Director's admission of a related exhibit into the record.

² Members Miscimarra and Johnson adhere to their dissenting views in *Pacific Lutheran University*. Nevertheless, they agree with their colleagues that a remand is appropriate.